

Please type a plus sign (+) inside this box 

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. <b>215233.00400</b>	
		First Inventor	<b>Kenneth W. Locke</b>
		Title	<b>Process for making polymorphic form A of 4-[6-acetyl-3-[3-(4-acetyl-3-hydroxy-2-propylphenylthio)propoxy]-2-propylphenoxy]butyric</b>
		Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <b>14</b>]</span> <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets <b>9</b>]</span> 5. Oath or Declaration <span style="float: right;">[Total Pages <b>2</b>]</span> a. <input checked="" type="checkbox"/> Unexecuted Declaration b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies <b>ACCOMPANYING APPLICATIONS PARTS</b> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). <small>Applicant must attach form PTO/SB/35 or its equivalent.</small> 17. <input type="checkbox"/> Other: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
---	--


  

<b>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</b>	
<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional
<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No.: _____
Prior application information: Examiner _____ Group / Art Unit: _____	
<b>For CONTINUATION or DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.	

<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		<b>27160</b>	or <input type="checkbox"/> Correspondence address below
Name <b>Katten Muchin Zavis Rosenman</b>			
Address <b>525 West Monroe Street, Suite 1600</b>			
City	Chicago	State	Illinois
Zip Code	60661-3693		
Country	United States	Telephone	202 625-3621
Fax	312 902-1061		

Name (Print/Type)	<b>Robert W. Hahl</b> <small>Gilberto M. Villacorta Reg. No. 34.038</small>	Registration No. (Attorney/Agent)	<b>33,893</b>
Signature			Date <b>June 24, 2003</b>

17354 U.S. PTO  
10/601861  
06/24/03

18334 U.S. PTO  
06/24/03

PTO/SB/17 (10-02)  
Approved for use through 10/31/2002. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2003</h3> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>				<p style="margin: 0; font-weight: bold;">Complete if Known</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Application Number</td><td>Not Yet Assigned</td></tr> <tr><td>Filing Date</td><td>June 24, 2003</td></tr> <tr><td>First Named Inventor</td><td>Kenneth Walter LOCKE</td></tr> <tr><td>Examiner Name</td><td>Not Yet Assigned</td></tr> <tr><td>Group Art Unit</td><td>Not Yet Assigned</td></tr> <tr><td>Attorney Docket No.</td><td>215233.00400</td></tr> </table>		Application Number	Not Yet Assigned	Filing Date	June 24, 2003	First Named Inventor	Kenneth Walter LOCKE	Examiner Name	Not Yet Assigned	Group Art Unit	Not Yet Assigned	Attorney Docket No.	215233.00400
Application Number	Not Yet Assigned																
Filing Date	June 24, 2003																
First Named Inventor	Kenneth Walter LOCKE																
Examiner Name	Not Yet Assigned																
Group Art Unit	Not Yet Assigned																
Attorney Docket No.	215233.00400																
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27																	
TOTAL AMOUNT OF PAYMENT		(\$)		375.00													

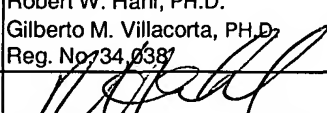
  

<p style="text-align: center; font-weight: bold;">METHOD OF PAYMENT (check all that apply)</p> <p> <input checked="" type="checkbox"/> Check              <input type="checkbox"/> Credit Card              <input type="checkbox"/> Money Order              <input type="checkbox"/> Other              <input type="checkbox"/> None         </p> <p><input type="checkbox"/> Deposit Account</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-1710</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">KATTEN MUCHIN ZAVIS ROSENMAN</span></p> <p>The Commissioner is hereby authorized to: (check all that apply)</p> <p> <input type="checkbox"/> Charge fee(s) indicated below              <input type="checkbox"/> Credit any overpayments         </p> <p> <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application         </p> <p> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.         </p>	<p style="text-align: center; font-weight: bold;">FEE CALCULATION (continued)</p> <h3 style="margin: 0;">3. ADDITIONAL FEES</h3> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>400</td><td>2252</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>920</td><td>2253</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,440</td><td>2254</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,960</td><td>2255</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,280</td><td>2453</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,280</td><td>2501</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>620</td><td>2503</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>740</td><td>2809</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>740</td><td>2810</td><td>370</td><td>For each additional invention to be examined (37CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>740</td><td>2801</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid      <b>SUBTOTAL (3)</b> (\$)</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	400	2252	200	Extension for reply within second month		1253	920	2253	460	Extension for reply within third month		1254	1,440	2254	720	Extension for reply within fourth month		1255	1,960	2255	980	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,280	2453	640	Petition to revive - unintentional		1501	1,280	2501	640	Utility issue fee (or reissue)		1502	480	2502	230	Design issue fee		1503	620	2503	310	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))		1810	740	2810	370	For each additional invention to be examined (37CFR 1.129(b))		1801	740	2801	370	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																															
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
1053	130	1053	130	Non-English specification																																																																																																																																																																															
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																															
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																															
1252	400	2252	200	Extension for reply within second month																																																																																																																																																																															
1253	920	2253	460	Extension for reply within third month																																																																																																																																																																															
1254	1,440	2254	720	Extension for reply within fourth month																																																																																																																																																																															
1255	1,960	2255	980	Extension for reply within fifth month																																																																																																																																																																															
1401	320	2401	160	Notice of Appeal																																																																																																																																																																															
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																															
1403	280	2403	140	Request for oral hearing																																																																																																																																																																															
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																															
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																															
1453	1,280	2453	640	Petition to revive - unintentional																																																																																																																																																																															
1501	1,280	2501	640	Utility issue fee (or reissue)																																																																																																																																																																															
1502	480	2502	230	Design issue fee																																																																																																																																																																															
1503	620	2503	310	Plant issue fee																																																																																																																																																																															
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																															
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																															
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																															
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																															
1810	740	2810	370	For each additional invention to be examined (37CFR 1.129(b))																																																																																																																																																																															
1801	740	2801	370	Request for Continued Examination (RCE)																																																																																																																																																																															
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																															

FEE CALCULATION																																																																																									
<h3 style="margin: 0;">1. BASIC FILING FEE</h3> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1001</td><td>740</td><td>2001</td><td>370</td><td>Utility filing fee</td><td>375.000</td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>510</td><td>2003</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>740</td><td>2004</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td>(\$) 375.00</td> </tr> </tbody> </table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	740	2001	370	Utility filing fee	375.000	1002	330	2002	165	Design filing fee		1003	510	2003	255	Plant filing fee		1004	740	2004	370	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					(\$) 375.00																																								
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																						
1001	740	2001	370	Utility filing fee	375.000																																																																																				
1002	330	2002	165	Design filing fee																																																																																					
1003	510	2003	255	Plant filing fee																																																																																					
1004	740	2004	370	Reissue filing fee																																																																																					
1005	160	2005	80	Provisional filing fee																																																																																					
<b>SUBTOTAL (1)</b>					(\$) 375.00																																																																																				
<h3 style="margin: 0;">2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h3> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th colspan="2">Extra Claims</th> <th colspan="2">Fee from below</th> <th colspan="2">Fee Paid</th> </tr> <tr> <th>Total Claims</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>10</td> <td>-20</td> <td>0</td> <td>x</td> <td>9.00</td> <td>=</td> <td>0.00</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>-3</td> <td>0</td> <td>x</td> <td>42.00</td> <td>=</td> <td>0.00</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>280.00</td> <td>=</td> <td>0.00</td> <td></td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td>(\$) 375.00</td> </tr> </tbody> </table> <p style="font-size: x-small;">**or number previously paid, if greater; For Reissues, see above</p>						Extra Claims		Fee from below		Fee Paid		Total Claims								10	-20	0	x	9.00	=	0.00		Independent Claims	2	-3	0	x	42.00	=	0.00	Multiple Dependent				280.00	=	0.00		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					(\$) 375.00
		Extra Claims		Fee from below		Fee Paid																																																																																			
Total Claims																																																																																									
10	-20	0	x	9.00	=	0.00																																																																																			
Independent Claims	2	-3	0	x	42.00	=	0.00																																																																																		
Multiple Dependent				280.00	=	0.00																																																																																			
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																						
1202	18	2202	9	Claims in excess of 20																																																																																					
1201	84	2201	42	Independent claims in excess of 3																																																																																					
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																					
1204	84	2204	42	** Reissue independent claims over original patent																																																																																					
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																					
<b>SUBTOTAL (2)</b>					(\$) 375.00																																																																																				

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Robert W. Hahl, PH.D. Gilberto M. Villacorta, PH.D. Reg. No 734,038	Registration No. (Attorney/Agent)	33,893	Telephone	202.625.3500
Signature				Date	June 24, 2003